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6 Attorney for Robert Guy Russell  
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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12  
13 v.  
14 ROBERT GUY RUSSELL,  
15 Defendant.

Case No. 2:20-cr-00059-APG-DJA  
**STIPULATION TO CONTINUE  
SENTENCING**  
(Third Request)

16  
17 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,  
18 Acting United States Attorney, and Simon F. Kung, Assistant United States Attorney, counsel  
19 for the United States of America, and Rene L. Valladares, Federal Public Defender, and Brian  
20 Pugh, Assistant Federal Public Defender, counsel for Robert Guy Russell, that the Sentencing  
21 Hearing currently scheduled on August 5, 2021 at 9:30 am, be vacated and continued to a date  
22 and time convenient to the Court, but no sooner than sixty (60) days.

23 This Stipulation is entered into for the following reasons:

24 1. On July 8, 2021, the Ninth Circuit Court of Appeals asked the Federal Public  
25 Defender for the District of Nevada (FPD) to provide an attorney to assist in United States v.  
26 Babichenko, et. al., District of Idaho case number CR18-258-BLW. The Babichenko trial was  
suspended in the middle of its third week to seek additional counsel to assist with the defense

1 of one of nine co-defendants. The trial is predicted to last approximately two months. The FPD  
2 asked the undersigned to travel to Idaho and assist with the defense for the remainder of the  
3 trial. Therefore, counsel will be unable to assist Mr. Russell with his defense.

- 4 2. Counsel for the defendant has not yet received discovery.  
5 3. Defendant is not incarcerated and does not object to a continuance.  
6 4. The parties agree to the continuance.

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8 This is the third request for continuance filed herein.

9 DATED this 21<sup>st</sup> day of July 2021.

10  
11 RENE L. VALLADARES  
12 Federal Public Defender

CHRISTOPHER CHIOU  
Acting United States Attorney

13 By /s/ Brian Pugh  
14 BRIAN PUGH  
15 Assistant Federal Public Defender

By /s/ Simon F. Kung  
SIMON F. KUNG  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 ROBERT GUY RUSSELL,

7 Defendant.

Case No. 2:20-cr-00059-APG-DJA

**ORDER**

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10 Based on the Stipulation of counsel and good cause appearing,  
11 IT IS THEREFORE ORDERED that the Sentencing Hearing currently scheduled on August  
12 5, 2021 at the hour of 9:30 a.m., be vacated and continued to October 28, 2021, at the hour  
13 of 9:30 a.m. in LV Courtroom 6C.

14 DATED this 21st day of July 2021.

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17 UNITED STATES DISTRICT JUDGE  
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